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U.S. Citizenship
and Immigration
Services

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FILE:

MSC 03 245 62486

Office: SAN FRANCISCO

Date:

MAY 30 2008

IN RE:

Applicant:

PETITION: Application for Status as a Permanent Resident pursuant to Section 1104 of the Legal Immigration Family Equity (LIFE) Act of 2000, Pub. L. 106-553, 114 Stat. 2762 (2000), amended by Life Act Amendments, Pub. L. 106-554, 114 Stat. 2763 (2000).

ON BEHALF OF PETITIONER:

SELF-REPRESENTED

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. The file has been returned to the National Benefits Center. If your appeal was sustained, or if the matter was remanded for further action, you will be contacted. If your appeal was dismissed, you no longer have a case pending before this office, and you are not entitled to file a motion to reopen or reconsider your case.

Robert P. Wiemann, Chief
Administrative Appeals Office

DISCUSSION: The application for permanent resident status under the Legal Immigration Family Equity (LIFE) Act was denied by the District Director, San Francisco, and is now before the Administrative Appeals Office (AAO) on appeal. The appeal will be summarily dismissed.

An applicant for permanent resident status under section 1104 of the LIFE Act has the burden to establish by a preponderance of the evidence that he or she has resided in the United States for the requisite periods, is admissible to the United States and is otherwise eligible for adjustment of status under this section. The inference to be drawn from the documentation provided shall depend on the extent of the documentation, its credibility and amenability to verification. 8 C.F.R. § 245a.12(e).

The applicant submitted insufficient evidence to credibly document his continuous residence in an unlawful status and his continuous presence in the United States during the relevant period. Specifically, the district director found that the affidavits submitted in support of the application made uncorroborated claims regarding the applicant's presence in the United States, and further provided minimal details with regard to the nature of the relationship between the applicant and affiants. The director advised the applicant of these deficiencies in a notice of intent to deny dated January 23, 2006, and afforded the applicant thirty (30) days to respond with additional evidence to support his claims. The applicant failed to respond. The director subsequently denied the application on March 27, 2006, concluding that the applicant had failed to sufficiently demonstrate that he applicant was present in the United States prior to January 1, 1982 and continuously resided therein in an unlawful status through May 4, 1988.

The applicant filed Form I-290B and an brief statement on April 20, 2006, and requested an additional sixty days to supplement the record with additional evidence. On June 20, 2006, the applicant submitted a second statement, contending that during this sixty-day period, he traveled to San Diego, California to "collect more evidence" in support of his claim that he resided in the United States since June 1981.

The applicant explained that the four people he knew since 1981 refused to provide affidavits in support of his application, claiming that they were "afraid." He apologizes for having no evidence to submit, and states that he never paid taxes because he was paid in cash. No additional documentation to support the appeal was submitted.

As stated in 8 C.F.R. § 103.3(a)(3)(iv), any appeal which is filed that fails to state the reason for appeal, or is patently frivolous, will be summarily dismissed. The applicant's general statements on the Form I-290B, without specifically identifying any errors on the part of the director, are simply insufficient to overcome the well-founded and logical conclusions the director reached based on the evidence submitted by the applicant. It is noted that no new evidence or documentation is submitted on appeal.

The applicant has failed to address the reasons stated for denial and has not provided any additional evidence on appeal. The appeal must therefore be summarily dismissed.

ORDER: The appeal is dismissed. This decision constitutes a final notice of ineligibility.